

Docket No.: 50432-204



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Minh Van NGO, et al.

Serial No.: 09/986,267

Filed: November 08, 2001

For: METHOD OF FORMING RELIABLE CU INTERCONNECTS

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Group Art Unit: 2812

Examiner: J. Brophy

**DECLARATION UNDER 37 CFR §1.131**

Honorable Commissioner of  
Patents and Trademarks  
Washington, DC 20231

Sir:

We, Minh Van Ngo, Arvind Halliyal and Eric Paton, hereby declare that::

1. We are the inventors of the invention disclosed and claimed in the above-referenced United States patent application.

2. We are aware of the prosecution history of this application which was filed in the U.S. Patent and Trademark Office on November 8, 2001. We are also aware that the application is under rejection on various grounds, including a rejection under 35 U.S.C. §103 for obviousness predicated upon U.S. Patent 6,261,963 issued to Zhao et al. on July 17, 2001 based upon an application filed in the United States Patent and Trademark Office on July 7, 2000.

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3. To our knowledge and in view of the factual evidence supplied herewith, the present invention was conceived in the United States prior to July 17, 2001, the issue date of the Zhao et al. patent. This fact is evidenced by the attached invention disclosure submitted to Advanced Micro Devices, Inc. (AMD), the assignee herein (Exhibit A hereto). Due diligence was exercised from prior to the issue date of July 17, 2001 to the filing date of the present application on November 8, 2001.

4. We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statement may jeopardize the validity of the application or any patent issuing thereon.

2/4/03  
Date

2/7/03  
Date

2/4/03  
Date

Minh Van Ngo  
Minh Van Ngo

Arvind Halliyal  
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Eric Paton  
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